

**Firearms Technology Criminal Branch
Report of Technical Examination**



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To:

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UI#: 764045-23-0005

RE: BERRIOS-AQUINO,
Jose

FTCB#: 2023-207-JTA
323672

Date Exhibits Received: 11/23/2022

Type of Examination Requested:

Delivered By: FedEx 7705 5469 0666

Examination, Test, Classification

Exhibits:

1. Sharps Bros Mfg., model JACK9, .40 Smith & Wesson (S&W) caliber firearm, bearing serial number J9-03124 (suspected machinegun).
2. ZEV Technologies, Inc., model ZEV-FL, 300 Blackout caliber firearm, bearing serial number ZFL09327 (suspected machinegun).
3. Fostech, model TECH 15, 9x19mm caliber firearm, bearing serial number 0001909 (suspected short-barreled rifle).
14. Powered By Graves, Alamo-15 trigger assembly, no serial number (suspected machinegun).
15. Wide Open Enterprises, Wide Open Triggers, trigger assembly, no serial number (suspected machinegun).
16. Wide Open Enterprises, Wide Open Triggers, trigger assembly, no serial number (suspected machinegun).
17. Rare Breed Triggers, FRT-15, trigger assembly, no serial number (suspected machinegun).

Pertinent Authority:

Title 28 of the United States Code (U.S.C.) provides the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF) the authority to investigate criminal and regulatory violations of Federal firearms law at the direction of the Attorney General. Under the corresponding Federal regulation at 28 CFR § 0.130, the Attorney General provides ATF with the authority to investigate, administer, and enforce the laws related to firearms, in relevant part, under 18 U.S.C. Chapter 44 (Gun Control Act) and 26 U.S.C. Chapter 53 (National Firearms Act). Pursuant to the aforementioned statutory and regulatory authority, the ATF Firearms and Ammunition Technology Division (FATD) provides expert technical support on firearms and ammunition to federal, state and local law enforcement agencies regarding the Gun Control Act and the National Firearms Act.

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The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term “**firearm**” as: “...*(A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or silencer or (D) any destructive device. Such term does not include an antique firearm.*”

The GCA, § 921(a)(7), defines “**rifle**” as: “... *a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.*”

The GCA, 18 U.S.C. § 921(a)(8), defines the term “**short-barreled rifle**” to mean: “...*a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches...*”

The GCA, 18 U.S.C. § 921(a)(24), defines the term “**machinegun**” as: “*The term “machinegun” has the meaning given such term in section 5845(b) of the National Firearms Act (26 U.S.C. 5845(b)).*”

The National Firearms Act (NFA), 26 U.S.C. § 5845(a), defines “**firearm**” as: “...*(1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon, as defined in subsection (e); (6) a machinegun; (7) any silencer (as defined in 18 U.S.C. § 921); and (8) a destructive device. The term “firearm” shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the ... [Attorney General] ... finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.*”

The NFA, 26 U.S.C. § 5845(b), defines the term “**machinegun**” as: “...*any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.*”

Further, the NFA, 26 U.S.C. § 5842, “**Identification of firearms**,” states: “...*(a) Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the Secretary may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the Secretary and any other information the...[latter] ... may by regulations prescribe.*”

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Background:

Federal law defines “machinegun,” in relevant part, as “any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger” as well as a “combination of parts designed and intended, for use in converting a weapon into a machinegun.” Legislative history for the NFA indicates that the drafters equated a “single function of the trigger” with “single pull of the trigger.” National Firearms Act: Hearings Before the Comm. on Ways and Means, House of Representatives, Second Session on H.R. 9066, 73rd Cong., at 40 (1934). ATF has long held that a single function of the trigger is a “single pull” or alternatively, a single release of a trigger. Therefore, a firearm is not a machinegun if a projectile is expelled when the trigger is pulled and a second projectile is expelled when the trigger is released.

Also, Federal courts have noted that automatically means that the weapon “fires repeatedly with a single pull of the trigger.” *Staples v. United States*, 511 U.S. 600, 602 n. 1 (1994). “That is, once its trigger is depressed, the weapon will automatically continue to fire until its trigger is released or the ammunition is exhausted.” *Id.* Courts have specifically affirmed ATF’s interpretation that a single act of the shooter to initiate the firing sequent is a single function of the trigger. *Akins v. United States*, 312 F. App’x 197, 200 (11th Cir. 2009); *Freedom Ordnance Mfg., Inc. v. Brandon*, No. 3:16-cv-00243-RLY-MPB (S.D. Ind. Mar. 27, 2018). *United States v. Fleischli*, 305 F.3d 643, 655 (7th Cir. 2002)(in which electronic switch was the trigger when it served to initiate the firing sequence and the minigun continued to fire until the switch was turned off or the ammunition was exhausted). In the *Freedom Ordnance* case, the United States District Court of Indiana confirmed that ATF was not arbitrary and capricious in the classification of an “electronic reset assist device” as a machinegun even though the firearm’s trigger reset before each shot by pushing the shooter’s finger forward. *Freedom Ordnance Mfg., Inc.*, No. 3:16-cv-00243-RLY-MPB. In these cases, a firearm is a machinegun when an internal mechanism or operation automatically forces the individual’s finger forward instead of requiring that the shooter release the trigger.

The description below pertains to **Exhibit 1A**, **Exhibit 2A**, and **Exhibit 14** through **Exhibit 17**, each of these Exhibits are virtually identical in function and design as described below and illustrated in the attached photos. The most notable difference is the Powered By Graves Alamo-15 which incorporates a “safety disconnect roller” affixed to the “safety disconnect” (see photo att. pg. 7). The Wide Open Triggers and Rare Breed Triggers FRT-15 incorporate a “locking bar” that functions in a similar manner to the “safety disconnect” in the Powered By Graves Alamo-15.

The three variants of Forced Reset Triggers (FRT) examined in this report are as follows: Powered By Graves (PBG) Alamo-15, Wide Open Triggers (WOT), and Rare Breed Triggers (RBT) FRT-15. Each of these devices is designed to allow “drop-in” installation into AR-type firearms. Each device functions in conjunction with an H2/H3 weight buffer and M16-type machinegun bolt carrier rather than a standard semiautomatic AR15-type bolt carrier (pg. 73 of attachment). The M16-type machinegun bolt carrier incorporates a contact surface (unnecessary on AR-type semiautomatic firearms) which is designed to trip the automatic sear in standard M16-type machineguns. The bolt carrier contact surface is similarly utilized to trip the “Safety Disconnect with Roller” in PBG Alamo-15 (pg. 1-39), and the “locking bar” in WOT and RBT FRT15 (pg. 41-78) equipped AR-type firearms during the operating cycle. Indeed, it is telling that the M16 pattern bolt carrier assembly interacts to trip the “Safety Disconnect with Roller” or “locking bar” in the same manner that it interacts to trip the automatic sear in M16-type machineguns.

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Basic operation of the PBG, WOT and RBT devices installed within an AR-type firearm having a M16-type machinegun bolt carrier is as follows:

- Firearm ready to fire with the hammer in a “cocked” position being held by the sear surface on the front of the trigger.
- Rearward pressure is applied to “pull” the trigger thus releasing the hammer, which falls impacting the firing pin and discharging the primer, which in turn ignites the propellant powder to accelerate the projectile (bullet) down the rifled bore.
- As the projectile moves past the gas port, a quantity of the gas is bled off through the gas port, gas tube and bolt carrier key into a cylindrical section in the bolt carrier where it expands and drives the bolt carrier rearward. Note that this happens rapidly while rearward “pull” pressure from the trigger pull is generally maintained on the trigger. During the first rearward travel of the carrier assembly, the bolt is rotated by the cam pin acted on by the bolt carrier cam slot. This rotation disengages the bolt lugs from the barrel extension lugs so the bolt is unlocked. The bolt carrier group then continues rearward with the unlocked bolt assembly which starts to act upon the hammer.
- The fired cartridge case is withdrawn from the chamber as the bolt carrier group continues its rearward travel, also continuing to further depress the hammer.
- As the spent case is fully drawn out of the chamber, the spring-loaded ejector, acting against the left side of the case head, pushes the spent case out of the ejection port. The bolt carrier group continues rearward still depressing the hammer.
- At this point, the operation of a firearm with the FRT devices described in this report differs from a semiautomatic AR-type firearm. In a semiautomatic AR-type firearm, the hammer is pushed down by the bolt carrier and is retained by the disconnecter. Upon the shooters release of the trigger, the disconnecter releases the hammer, and the hammer comes to rest on the trigger sear surface, ready to expel a second projectile with a subsequent pull of the trigger. *Conversely*, in the FRT equipped firearm, as the bolt carrier group continues rearward, the hammer is pushed down by the bolt carrier group, but it also pushes down on the trigger which forces it forward (PBG pg. 11, WOT and RBT pg. 67). The trigger is pushed slightly forward as an automatic function of the FRT design without any further action by the shooter. This causes the hammer to engage the triggers sear surface. Differing from a standard semiautomatic firearm, the FRT trigger design also engages the “Safety Disconnecter with Roller” or “locking bar” to momentarily keep the trigger in place so that the shooter may not override the automatic functioning of the weapon.
- As the bolt carrier moves forward into battery using the energy of the action spring, the contact surface on the required M16-type machinegun bolt carrier (which is designed to interact with the automatic sear on M16-type firearms), contacts the FRT “Safety Disconnecter with Roller” or “locking bar”, releasing the trigger. (PBG pg. 13 & 14, WOT and RBT pg. 71 & 72). The necessity of an M16-type machinegun bolt carrier is clear at this point—it acts on the “Safety Disconnecter with Roller” or “locking bar” in the same way it acts on the machinegun automatic-sear. Specifically, when the bolt moves back in to firing position, it contacts the PBG “Roller” on the “Safety Disconnecter”, WOT and RBT “locking bar” or the automatic sear and automatically fires a subsequent round. Note that the disconnecter on a standard AR-

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type semiautomatic (without a FRT device) retains the hammer until the shooter manually releases the trigger (pg. 72).

- After firing a shot with a semiautomatic AR-type firearm, the shooter is required to manually release the trigger which releases the hammer from the disconnecter, and then manually pull the trigger a second time to fire a subsequent shot.
- If the shooter maintains constant rearward pressure from the original single function (pull) of the trigger, the self-acting or self-regulating mechanism of the FRT device allows subsequent firings to be discharged during the continuing cycle of operation.
- From the moment of the application of trigger pressure, and as long as rearward pressure is applied to the trigger through a single constant pull, a firearm with an FRT device continues to fire until the firing finger is removed from the trigger, the weapon malfunctions, or the ammunition is exhausted; this firing takes place regardless of the purported “forced reset” pushing the trigger forward.

Additional rounds are fired based on the automatic functioning of the firearm and the continuous pressure applied to the trigger during the single continuous function (pull) of the trigger. With both a FRT equipped AR-type firearm, and an M16-type machinegun (with the selector set in its “automatic” position), the shooter maintains a constant pull of the trigger to fire subsequent shots with a single function (pull) of the trigger, through both the M16-type machinegun and FRT equipped AR-types self-acting or self-regulating mechanisms during the operating cycle of the firearms.

U.S. Patent No: 10,514,223 B1 (see attachment) includes illustrations which closely parallel the FRT devices detailed in this report in its “drop-in” concept, though having differing geometry in its component parts.

While not being a determinative factor in a “machinegun” classification, a “rate of fire” comparison was performed utilizing an M16-type, M4 “machinegun”, a PBG Alamo-15 and an RBT FRT-15 equipped AR-15 type firearm, to illustrate the similar rates of “automatic” fire achieved with both systems.

The statutory definition of “machinegun” does not include a particular rate of fire that a weapon must achieve to be so classified. However, the “rate of fire” is a common and useful test to demonstrate the objective mechanical capabilities of a firearm, particularly when a shooter maintains a single constant pull of the trigger. This is the case because the single, constant pull of a trigger eliminates the most obvious variable, the speed at which a shooter is able to pull the trigger.

For informational purposes, the cyclic rate of fire of an M16-type, M4 machinegun is approximately 700 to 970 RPM as published in U.S. Army Technical Manual TM 9-1005-319-10, page 0002 00-3. To verify this, FTCB has previously tested the rate of fire of a 5.56 caliber M16-type, M4 machinegun, (tag number 0488490) from the ATF National Firearms Collection (NFC), utilizing a Competition Electronics brand shot timer to measure the approximate rounds per minute (RPM). This test determined that the average rate of fire of the NFC M16-type, M4 machinegun (tag number 0488490) was **870.4 RPM**.

To demonstrate that the cyclic rate of fire with a PBG Alamo-15 machinegun conversion device equipped semiautomatic AR-type rifle is comparable to an M16-type machinegun, the same test was conducted utilizing an NFC AR-type semiautomatic rifle receiver (tag number 539054) equipped with a PBG Alamo-15

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machinegun conversion device and utilized the same upper assembly, buffer and recoil spring used with the NFC M16 rate of fire test. This test determined that the average rate of fire of a semiautomatic AR-type rifle equipped with a PBG Alamo-15 machinegun conversion device is **880 RPM**.

To demonstrate that the cyclic rate of fire with an RBT FRT-15 machinegun conversion device equipped semiautomatic AR-type rifle is comparable to an M16-type machinegun, the same test was previously conducted utilizing an NFC AR-type semiautomatic rifle receiver (tag number 0550101) equipped with an RBT FRT-15 machinegun conversion device. This test determined that the average rate of fire of the NFC semiautomatic AR-type rifle receiver (tag number 0550101) equipped with a Rare Breed Triggers FRT-15 machinegun conversion device was **840.8 RPM**.

The PBG, WOT and RBT “drop-in” devices are each designed to interact with the required M16-type machinegun bolt carrier during the cycle of operation in the same way that the M16-type machinegun bolt interacts with the machinegun automatic sear. This allows the host firearm to function as a self-acting, or self-regulating mechanism, with one continuous pull of the trigger, and allows the host firearm to shoot automatically, more than one shot, without manual reloading, by a single function (pull) of the trigger, until its trigger is released, or the ammunition is exhausted.

With standard semiautomatic AR-type firearms, the cycle of operation is interrupted between shots by a disconnecter which requires that the trigger be both manually released and manually pulled to fire a subsequent shot, no such action is required to fire subsequent shots with an FRT equipped AR-type firearm.

Indeed, the FRT design requires only that the shooter maintain the initial trigger pull, while the self-acting or self-regulating FRT mechanism forces the trigger forward during the rearward movement of the required M16-type machinegun bolt carrier, and then automatically releases the trigger and hammer, as the “Safety Disconnecter with Roller” or “locking bar” interacts with the “trip surface” on the M16-type machinegun bolt carrier, as the firearm goes into battery. All of these actions occur if the shooter maintains a single, constant pull of the trigger.

Therefore, consistent with the language of the statute and Congressional intent, ATF has long held that a single function of the trigger is a “single pull” or alternatively, a single release of a trigger.

Findings:

Exhibit 1 is a .40 S&W caliber, AR-type firearm manufactured by Sharps Bros Mfg., in Logan, Utah, utilizing a receiver manufactured by DR Guns LLC, in Lake Zurich, Illinois. Exhibit 1 is equipped with a secondary forward grip, flip up sights, M16-type bolt carrier and internally threaded muzzle device.

During my examination, I observed the following markings:

On the receiver, left side above the trigger

- **SHARPS BROS MFG**
- **LOGAN, UT**
- **S/N J9-03124** *[serial number]*




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Selector markings, left side

-  [safe]
-  [fire]
-  [automatic]

On the receiver, right side above the trigger

- **MDL: JACK9**
- **CAL: MULTI**

Selector markings, left and right side

-  [safe]
-  [fire]
-  [automatic]

On top of the barrel

- **40 S&W 1:16**

My examination revealed that Exhibit 1 function tests as a machinegun. I separated the upper assembly from the receiver to determine the cause of the machinegun function. I observed that Exhibit 1 incorporates a machinegun conversion device (see attached photos), hereafter referred to as Exhibit 1A.

The **Exhibit 1A** conversion device is a Powered By Graves (PGB), model Alamo-15, AR15-type drop-in fire-control group, marketed by Big Daddy Unlimited located in Gainesville, Florida. The Exhibit is not marked with a serial number.

Exhibit 1A is comprised of the following individual component parts:

- One aluminum housing
- One hammer
- One hammer spring
- Two tubular pins
- One trigger
- One "Reset Safety Spring"
- One "Safety Disconnect"
- One "Safety Locking Bar Retainer Pin"
- One "Safety Locking Bar Spring"
- One "Safety Disconnect Roller"
- One "Safety Disconnect Roller Retainer Pin"
- Two pins with interior threads at both ends
- Four hex head screws with exterior threads

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Exhibit 1A bears the following markings on the housing:

Left Side:



- **ALAMO-15**

Right side:

- **PBG**
- **PAT. PENDING**

To demonstrate Exhibit 1A is a combination of parts designed and intended for use in converting a weapon into a machinegun, I test fired Exhibit 1, with the Exhibit 1A machinegun conversion device installed, on November 30, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, Speer brand, .40 S&W caliber ammunition and a magazine obtained from the NFC. I inserted the magazine with one round of ammunition, chambered the round, set the selector to the semiautomatic fire position, and pulled the trigger. Exhibit 1, with the Exhibit 1A conversion device installed successfully expelled a projectile by the action of an explosive. I repeated this method of test-fire one additional time, obtaining the same result.

I repeated this same test with the magazine being removed after the cartridge was chambered, and noted that the hammer, rather than remaining in a cocked position, as would normally be the case with a standard AR15-type semiautomatic firearm, after firing one round with a single function (pull) of the trigger, had been released a second time, indicating that Exhibit 1, with Exhibit 1A installed, had initiated a second firing cycle with the original single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I next inserted a magazine with two-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulled the trigger holding it to the rear. Exhibit 1, with the Exhibit 1A device installed, fired two rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I continued this testing protocol by inserting a magazine containing five-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulling the trigger, holding the trigger to the rear. Exhibit 1, with the Exhibit 1A device installed, fired all five rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

Next, Exhibit 1, with the Exhibit 1A device installed was tested utilizing a ULINE Brand locking galvanized steel aircraft cable seal to secure the trigger in a “pulled” position, was tested as follows:

- A ULINE Brand locking galvanized steel aircraft cable seal was installed around rear of the grip and the front of the Exhibit 1A trigger.

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- The cable was gradually tightened until the trigger was retracted just enough to allow the hammer to fall.
- With the trigger retained in this position, the bolt assembly was retracted and retained in an open position, with the aid of the bolt catch.
- A magazine containing five-rounds of ammunition was inserted into the Exhibit 1A equipped Exhibit 1 firearm.
- Without touching the trigger (which was being retained in a fixed position by the cable seal), the bolt catch was depressed allowing the firearm's bolt to travel forward and chamber a cartridge. Upon chambering the cartridge, the weapon fired all five rounds of ammunition automatically without the trigger being repeatedly pulled and released.
- This same test was repeated a second time and twice with a magazine containing fifteen rounds of ammunition. In all instances, the submitted sample discharged its entire ammunition load upon initiating the firing sequence by depressing the bolt release, thus allowing the bolt assembly to move forward and both chamber and fire cartridges repeatedly.

As received, **Exhibit 1A** is a combination of parts, designed and intended for use in converting a weapon (AR-type) into a machinegun; therefore, it is a “**machinegun**” as defined in the GCA and NFA.

3 fired cartridge cases collected from this test-fire are being returned with the Exhibit for NIBIN submission.

Exhibit 2 is a 300 Blackout caliber, AR-type firearm manufactured by ZEV Technologies, Inc., in Centralia, Washington. Exhibit 2 is equipped with a secondary forward grip, flip up sights, M16-type bolt carrier and internally threaded muzzle device.

During my examination, I observed the following markings:

On the receiver, left side of the magazine well

- //
- **MODEL: ZEV-FL**
- **CAL: MULTI**
- **ZFL09327** *[serial number]*

On the receiver, left side above the trigger

- **ZEV TECHNOLOGIES, INC.**
- **CENTRALIA WA, USA**

Selector markings, left and right sides

- **SAFE**
- **FIRE**

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On top of the barrel

- **300 BLACKOUT // 1x7 SS E6**

My examination revealed that Exhibit 2 function tests as a machinegun. I separated the upper assembly from the receiver to determine the cause of the machinegun function. I observed that Exhibit 2 incorporates a machinegun conversion device (see attached photos), hereafter referred to as Exhibit 2A.

The **Exhibit 2A** conversion device is a Powered By Graves (PGB), model Alamo-15, AR15-type drop-in fire-control group, marketed by Big Daddy Unlimited located in Gainesville, Florida. The Exhibit is not marked with a serial number.

Exhibit 2A is comprised of the following individual component parts:

- One aluminum housing
- One hammer
- One hammer spring
- Two tubular pins
- One trigger
- One "Reset Safety Spring"
- One "Safety Disconnecter"
- One "Safety Locking Bar Retainer Pin"
- One "Safety Locking Bar Spring"
- One "Safety Disconnecter Roller"
- One "Safety Disconnecter Roller Retainer Pin"
- Two pins with interior threads at both ends
- Four hex head screws

Exhibit 2A bears the following markings on the housing:

Left Side:

- **ALAMO-15**

Right side:

- **PBG**
- **PAT. PENDING**

To demonstrate Exhibit 2A is a combination of parts designed and intended for use in converting a weapon into a machinegun, I test fired Exhibit 2, with the Exhibit 2A machinegun conversion device installed, on November 30, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, Fiocchi brand, 300 Blackout caliber ammunition and a magazine obtained from the NFC. I inserted the magazine with one round of ammunition, chambered the round, set the selector to the semiautomatic fire position, and pulled the trigger. Exhibit 2, with the Exhibit 2A conversion device installed successfully expelled a projectile by the action of an explosive. I repeated this method of test-fire one additional time, obtaining the same result.

I repeated this same test with the magazine being removed after the cartridge was chambered, and noted that the hammer, rather than remaining in a cocked position, as would normally be the case with a standard AR15-type

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semiautomatic firearm, after firing one round with a single function (pull) of the trigger, had been released a second time, indicating that Exhibit 2, with Exhibit 2A installed, had initiated a second firing cycle with the original single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I next inserted a magazine with two-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulled the trigger holding it to the rear. Exhibit 2, with the Exhibit 2A device installed, fired two rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I continued this testing protocol by inserting a magazine containing five-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulling the trigger, holding the trigger to the rear. Exhibit 2, with the Exhibit 2A device installed, fired all five rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

Next, Exhibit 2, with the Exhibit 2A device installed was tested utilizing a ULINE Brand locking galvanized steel aircraft cable seal to secure the trigger in a “pulled” position, was tested as follows:

- A ULINE Brand locking galvanized steel aircraft cable seal was installed around rear of the grip and the front of the Exhibit 2A trigger.
- The cable was gradually tightened until the trigger was retracted just enough to allow the hammer to fall.
- With the trigger retained in this position, the bolt assembly was retracted and retained in an open position, with the aid of the bolt catch.
- A magazine containing five-rounds of ammunition was inserted into the Exhibit 2A equipped Exhibit 2 firearm.
- Without touching the trigger (which was being retained in a fixed position by the cable seal), the bolt catch was depressed allowing the firearm’s bolt to travel forward and chamber a cartridge. Upon chambering the cartridge, the weapon fired all five rounds of ammunition automatically without the trigger being repeatedly pulled and released.
- This same test was repeated a second time and twice with a magazine containing fifteen rounds of ammunition. In all instances, the submitted sample discharged its entire ammunition load upon initiating the firing sequence by depressing the bolt release, thus allowing the bolt assembly to move forward and both chamber and fire cartridges repeatedly.

As received, **Exhibit 2A** is a combination of parts, designed and intended for use in converting a weapon (AR-type) into a machinegun; therefore, it is a “**machinegun**” as defined in the GCA and NFA.

3 fired cartridge cases collected from this test-fire are being returned with the Exhibit for NIBIN submission.

Exhibit 3 is a 9x19mm caliber rifle utilizing a receiver manufactured by Fostech, in Seymour, Indiana. As received, Exhibit 3 is equipped with a collapsible Strike Industries PDW shoulder-stock, flip-up sights, an

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internally threaded muzzle device and a Stern Defense magazine adapter. The Exhibit has an overall length of approximately 21-1/8 inches and contains a rifled barrel approximately 5-3/8 inches in length.

I measured the overall length of Exhibit 3 by placing the Exhibit on a flat surface (with the shoulder stock fully extended and the muzzle device removed), measuring the distance between the extreme ends along a line parallel to the center line of the bore.

Additionally, I measured the barrel of Exhibit 3 by placing the Exhibit on a flat surface (with the muzzle device removed) and then inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face, noted the measurement, and removed the rod from the barrel.

As received, Exhibit 3 is a weapon designed and intended to be fired from the shoulder and contains a rifled barrel; therefore, Exhibit 3 is a *rifle* as defined. Being a rifle having a barrel of less than 16 inches in length, Exhibit 3 is a *short-barreled rifle* as defined.

During my examination, I observed the following markings:




On the receiver, left side of the magazine well

-  [FOSTECH logo]

Left side of the receiver above the trigger

- **FOSTECH**
- **SEYMOUR, IN**
- **TECH 15**
- **MULTI**
- **0001909** [serial number]

Selector markings, left side

-  [safe]
-  [fire]
-  [3-o'clock position]

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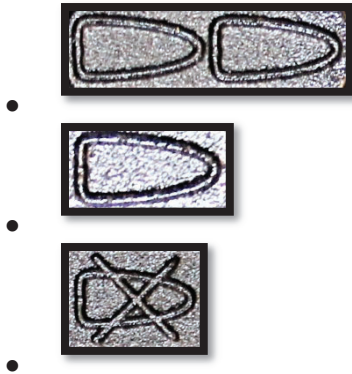
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On the receiver, right side of the magazine well



Selector markings, right side



I observed that the Exhibit has no NFA manufacturer markings as required by 26 U.S.C. § 5842.

My examination revealed that Exhibit 3 function tests as a binary trigger. I separated the upper assembly from the receiver to determine the cause of the binary function. I observed that Exhibit 3 incorporates a Fostech Echo-type binary trigger

A binary-style trigger releases the hammer when the trigger is pulled to the rear, the firearm is cycled, cocking the hammer, and releases the hammer when the trigger is released. The “pull” and the “release” are considered separate functions of the trigger.

I test-fired Exhibit 3, on November 30, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, Federal brand, 9x19mm caliber ammunition and a magazine obtained from the NFC.

First, I inserted the magazine with one round of ammunition, chambered the round, placed the selector in the semiautomatic position and pulled the trigger. Exhibit 3 successfully expelled a projectile by the action of an explosive.

Next, I inserted the magazine with five rounds of ammunition, chambered the first round, placed the selector in the semiautomatic position and pulled the trigger. Exhibit 3 fired a single round of ammunition for each pull of the trigger. I repeated this method of test fire one additional time, achieving the same result.

Then, I inserted the magazine with two rounds of ammunition, chambered the first round, placed the selector in the 3-o'clock position and pulled the trigger, holding the trigger to the rear. Exhibit 3 fired a single round of ammunition and fired another round on the release of the trigger. I repeated this method of test fire one additional time, achieving the same result.

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Finally, I inserted the magazine with ten rounds of ammunition, chambered the first round, placed the selector in the 3-o'clock position and pulled the trigger. Exhibit 3 fired a single round of ammunition for each pull of the trigger and a single round for each release of the trigger. I repeated this method of test fire one additional time, achieving the same result.

3 fired cartridge cases collected from this test-fire are being returned with the Exhibit for NIBIN submission.

Exhibit 14 is a Powered By Graves (PGB), model Alamo-15, AR15-type drop-in fire-control group, marketed by Big Daddy Unlimited located in Gainesville, Florida. The Exhibit is not marked with a serial number.

Exhibit 14 is comprised of the following individual component parts:

- One aluminum housing
- One hammer
- One hammer spring
- Two tubular pins
- One trigger
- One "Reset Safety Spring"
- One "Safety Disconnecter"
- One "Safety Locking Bar Retainer Pin"
- One "Safety Locking Bar Spring"
- One "Safety Disconnecter Roller"
- One "Safety Disconnecter Roller Retainer Pin"
- Two pins with interior threads at both ends
- Four hex head screws
- Two Torx wrenches (for installation of assembly into firearm)

Exhibit 14 bears the following markings on the housing:

Left Side:

- 
- **ALAMO-15**

Right side:

- **PBG**
- **PAT. PENDING**

To determine whether the Exhibit 14 PGB Alamo-15 device is a combination of parts designed and intended for use in converting a weapon into a machinegun, I installed the Exhibit into an AR-type rifle (serial number 14143054) obtained from the NFC. The NFC rifle utilized for the test-fire is equipped with an H2 weight buffer (recommended), and an upper assembly incorporating an M16-type machinegun bolt carrier (required).

The Exhibit 14 device (installed within the NFC rifle) was test fired on November 30, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, 7.62x39mm caliber ammunition and magazines obtained from the NFC.

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I first inserted a magazine with one round of ammunition, chambered the round, set the selector into the semiautomatic position, and pulled the trigger. The NFC rifle, having the Exhibit 14 device installed, expelled a projectile by the action of an explosive. I repeated this method of test-fire one additional time, obtaining the same result.

I repeated this same test with the magazine being removed after the cartridge was chambered, and noted that the hammer, rather than remaining in a cocked position, as would normally be the case with a standard AR15-type semiautomatic firearm, after firing one round with a single function (pull) of the trigger, had been released a second time, indicating that the NFC rifle, with Exhibit 14 installed, had initiated a second firing cycle with the original single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I next inserted a magazine with two-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulled the trigger holding it to the rear. The NFC rifle, with the Exhibit 14 device installed, fired two rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I continued this testing protocol by inserting a magazine containing five-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulling the trigger, holding the trigger to the rear. The NFC rifle, with the Exhibit 14 device installed, fired all five rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

Next, the NFC rifle, with the Exhibit 14 device installed was tested utilizing a ULINE Brand locking galvanized steel aircraft cable seal to secure the trigger in a “pulled” position, was tested as follows:

- A ULINE Brand locking galvanized steel aircraft cable seal was installed around rear of the grip and the front of the Exhibit 14 trigger.
- The cable was gradually tightened until the trigger was retracted just enough to allow the hammer to fall.
- With the trigger retained in this position, the bolt assembly was retracted and retained in an open position, with the aid of the bolt catch.
- A magazine containing five-rounds of ammunition was inserted into the Exhibit 14 equipped NFC rifle.
- Without touching the trigger (which was being retained in a fixed position by the cable seal), the bolt catch was depressed allowing the firearm’s bolt to travel forward and chamber a cartridge. Upon chambering the cartridge, the weapon fired all five rounds of ammunition automatically without the trigger being repeatedly pulled and released.
- This same test was repeated a second time and twice with a magazine containing fifteen rounds of ammunition. In all instances, the NFC rifle, with the Exhibit 14 device installed discharged its entire ammunition load upon initiating the firing sequence by depressing the bolt release, thus allowing the bolt assembly to move forward and both chamber and fire cartridges repeatedly.

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As received, Exhibit 14 is a combination of parts designed to and through demonstration successfully converted the semiautomatic NFC AR-type rifle into a machinegun; therefore, Exhibit 14 is a “**machinegun**” as defined in the GCA and NFA.

Exhibit 15 is a Wide Open Enterprises AR15-type drop-in fire-control group, model Wide Open Trigger (WOT) for AR15-type firearms, manufactured at an undetermined location, distributed by Wide Open Enterprises in Albuquerque, New Mexico, and marketed by Big Daddy Unlimited of Gainesville, Florida. The Exhibit is not marked with a serial number.

Exhibit 15 is comprised of the following individual component parts:

- One housing
- One hammer
- One hammer spring
- Two tubular pins
- One trigger
- One trigger spring
- One locking bar
- Three solid pins
- One locking bar spring and bushing
- One locking bar guide rod

Exhibit 15 bears the following markings on the right and left side the housing:

- **PATENT PENDING**
- **WOT**
- **WIDE OPEN TRIGGERS**

To determine whether the Exhibit 15 WOT device is a combination of parts designed and intended for use in converting a weapon into a machinegun, I installed the Exhibit into an AR-type rifle (serial number 14143054) obtained from the NFC. The NFC rifle utilized for the test-fire is equipped with an H2 weight buffer (recommended), and an upper assembly incorporating an M16-type machinegun bolt carrier (required). To retain the Exhibit 15 device within the NFC rifle, I used two internally threaded pins and four hex head screws acquired from the NFC

The Exhibit 15 device (installed within the NFC rifle) was test fired on November 30, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, 7.62x39mm caliber ammunition and magazines obtained from the NFC.

I first inserted a magazine with one round of ammunition, chambered the round, set the selector into the semiautomatic position, and pulled the trigger. The NFC rifle, having the Exhibit 15 device installed, expelled a projectile by the action of an explosive. I repeated this method of test-fire one additional time, obtaining the same result.

I repeated this same test with the magazine being removed after the cartridge was chambered, and noted that the hammer, rather than remaining in a cocked position, as would normally be the case with a standard AR15-type semiautomatic firearm, after firing one round with a single function (pull) of the trigger, had been released a second time, indicating that the NFC rifle, with Exhibit 15 installed, had initiated a second firing cycle with the original single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

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I next inserted a magazine with two-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulled the trigger holding it to the rear. The NFC rifle, with the Exhibit 15 device installed, fired two rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I continued this testing protocol by inserting a magazine containing five-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulling the trigger, holding the trigger to the rear. The NFC rifle, with the Exhibit 15 device installed, fired all five rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

Next, the NFC rifle, with the Exhibit 15 device installed was tested utilizing a ULINE Brand locking galvanized steel aircraft cable seal to secure the trigger in a “pulled” position, was tested as follows:

- A ULINE Brand locking galvanized steel aircraft cable seal was installed around rear of the grip and the front of the Exhibit 15 trigger.
- The cable was gradually tightened until the trigger was retracted just enough to allow the hammer to fall.
- With the trigger retained in this position, the bolt assembly was retracted and retained in an open position, with the aid of the bolt catch.
- A magazine containing five-rounds of ammunition was inserted into the Exhibit 15 equipped NFC rifle.
- Without touching the trigger (which was being retained in a fixed position by the cable seal), the bolt catch was depressed allowing the firearm’s bolt to travel forward and chamber a cartridge. Upon chambering the cartridge, the weapon fired all five rounds of ammunition automatically without the trigger being repeatedly pulled and released.
- This same test was repeated a second time and twice with a magazine containing fifteen rounds of ammunition. In all instances, the NFC rifle, with the Exhibit 15 device installed discharged its entire ammunition load upon initiating the firing sequence by depressing the bolt release, thus allowing the bolt assembly to move forward and both chamber and fire cartridges repeatedly.

As received, Exhibit 15 is a combination of parts designed to and through demonstration successfully converted the semiautomatic NFC AR-type rifle into a machinegun; therefore, Exhibit 15 is a “**machinegun**” as defined in the GCA and NFA.

Exhibit 16 is a Wide Open Enterprises AR15-type drop-in fire-control group, model Wide Open Trigger (WOT) for AR15-type firearms, manufactured at an undetermined location, distributed by Wide Open Enterprises in Albuquerque, New Mexico, and marketed by Big Daddy Unlimited of Gainesville, Florida. The Exhibit is not marked with a serial number.

Exhibit 16 is comprised of the following individual component parts:

- One housing
- One hammer
- One hammer spring
- Two tubular pins
- One trigger
- One trigger spring

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- One locking bar
- Three solid pins
- One locking bar spring and bushing
- One locking bar guide rod

Exhibit 16 bears the following markings on the right and left side the housing:

- **PATENT PENDING**
- **WOT**
- **WIDE OPEN TRIGGERS**

To determine whether the Exhibit 16 WOT device is a combination of parts designed and intended for use in converting a weapon into a machinegun, I installed the Exhibit into an AR-type rifle (serial number 14143054) obtained from the NFC. The NFC rifle utilized for the test-fire is equipped with an H2 weight buffer (recommended), and an upper assembly incorporating an M16-type machinegun bolt carrier (required). To retain the Exhibit 16 device within the NFC rifle, I used two internally threaded pins and four hex head screws acquired from the NFC

The Exhibit 16 device (installed within the NFC rifle) was test fired on November 30, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, 7.62x39mm caliber ammunition and magazines obtained from the NFC.

I first inserted a magazine with one round of ammunition, chambered the round, set the selector into the semiautomatic position, and pulled the trigger. The NFC rifle, having the Exhibit 16 device installed, expelled a projectile by the action of an explosive. I repeated this method of test-fire one additional time, obtaining the same result.

I repeated this same test with the magazine being removed after the cartridge was chambered, and noted that the hammer, rather than remaining in a cocked position, as would normally be the case with a standard AR15-type semiautomatic firearm, after firing one round with a single function (pull) of the trigger, had been released a second time, indicating that the NFC rifle, with Exhibit 16 installed, had initiated a second firing cycle with the original single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I next inserted a magazine with two-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulled the trigger holding it to the rear. The NFC rifle, with the Exhibit 16 device installed, fired two rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I continued this testing protocol by inserting a magazine containing five-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulling the trigger, holding the trigger to the rear. The NFC rifle, with the Exhibit 16 device installed, fired all five rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

Next, the NFC rifle, with the Exhibit 16 device installed was tested utilizing a ULINE Brand locking galvanized steel aircraft cable seal to secure the trigger in a “pulled” position, was tested as follows:

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- A ULINE Brand locking galvanized steel aircraft cable seal was installed around rear of the grip and the front of the Exhibit 16 trigger.
- The cable was gradually tightened until the trigger was retracted just enough to allow the hammer to fall.
- With the trigger retained in this position, the bolt assembly was retracted and retained in an open position, with the aid of the bolt catch.
- A magazine containing five-rounds of ammunition was inserted into the Exhibit 16 equipped NFC rifle.
- Without touching the trigger (which was being retained in a fixed position by the cable seal), the bolt catch was depressed allowing the firearm's bolt to travel forward and chamber a cartridge. Upon chambering the cartridge, the weapon fired all five rounds of ammunition automatically without the trigger being repeatedly pulled and released.
- This same test was repeated a second time and twice with a magazine containing fifteen rounds of ammunition. In all instances, the NFC rifle, with the Exhibit 16 device installed discharged its entire ammunition load upon initiating the firing sequence by depressing the bolt release, thus allowing the bolt assembly to move forward and both chamber and fire cartridges repeatedly.

As received, Exhibit 16 is a combination of parts designed to and through demonstration successfully converted the semiautomatic NFC AR-type rifle into a machinegun; therefore, Exhibit 16 is a "**machinegun**" as defined in the GCA and NFA.

Exhibit 17 is a Rare Breed Triggers, model FRT-15, AR-type drop-in fire-control group, is manufactured at an undetermined location for distribution by RARE BREED TRIGGERS of Fargo, North Dakota, or Orlando, Florida. The Exhibit is not marked with a serial number. U.S. Patent No: 10,514,223 B1 (see attachment) includes illustrations which closely parallel the Exhibit 17 Rare Breed FRT-15 device in its "drop-in" concept, though having differing geometry in its component parts.

Exhibit 17 is comprised of the following individual component parts:

- | | |
|------------------------|--------------------------|
| • One aluminum housing | • One trigger spring |
| • One hammer | • One locking bar |
| • One hammer spring | • One solid pin |
| • Two tubular pins | • One locking bar spring |
| • One trigger | |

Exhibit 17 bears the following markings on the right side of its aluminum housing:

**RARE BREED
-TRIGGERS-
US PAT. 10514223**

To determine whether the Exhibit 17 RBT FRT-15 device is a combination of parts designed and intended for use in converting a weapon into a machinegun, I installed the Exhibit into an AR-type rifle (serial number

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14143054) obtained from the NFC. The NFC rifle utilized for the test-fire is equipped with an H2 weight buffer (recommended), and an upper assembly incorporating an M16-type machinegun bolt carrier (required). To retain the Exhibit 17 device within the NFC rifle, I used two internally threaded pins and four hex head screws acquired from the NFC

The Exhibit 17 device (installed within the NFC rifle) was test fired on November 30, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, 7.62x39mm caliber ammunition and magazines obtained from the NFC.

I first inserted a magazine with one round of ammunition, chambered the round, set the selector into the semiautomatic position, and pulled the trigger. The NFC rifle, having the Exhibit 17 device installed, expelled a projectile by the action of an explosive. I repeated this method of test-fire one additional time, obtaining the same result.

I repeated this same test with the magazine being removed after the cartridge was chambered, and noted that the hammer, rather than remaining in a cocked position, as would normally be the case with a standard AR15-type semiautomatic firearm, after firing one round with a single function (pull) of the trigger, had been released a second time, indicating that the NFC rifle, with Exhibit 17 installed, had initiated a second firing cycle with the original single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I next inserted a magazine with two-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulled the trigger holding it to the rear. The NFC rifle, with the Exhibit 17 device installed, fired two rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

I continued this testing protocol by inserting a magazine containing five-rounds of ammunition, chambered the first round, set the selector to the semiautomatic fire position, and pulling the trigger, holding the trigger to the rear. The NFC rifle, with the Exhibit 17 device installed, fired all five rounds automatically by a single function (pull) of the trigger. I repeated this method of test-fire one additional time, obtaining the same result.

Next, the NFC rifle, with the Exhibit 17 device installed was tested utilizing a ULINE Brand locking galvanized steel aircraft cable seal to secure the trigger in a "pulled" position, was tested as follows:

- A ULINE Brand locking galvanized steel aircraft cable seal was installed around rear of the grip and the front of the Exhibit 17 trigger.
- The cable was gradually tightened until the trigger was retracted just enough to allow the hammer to fall.
- With the trigger retained in this position, the bolt assembly was retracted and retained in an open position, with the aid of the bolt catch.
- A magazine containing five-rounds of ammunition was inserted into the Exhibit 17 equipped NFC rifle.
- Without touching the trigger (which was being retained in a fixed position by the cable seal), the bolt catch was depressed allowing the firearm's bolt to travel forward and chamber a cartridge. Upon

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chambering the cartridge, the weapon fired all five rounds of ammunition automatically without the trigger being repeatedly pulled and released.

- This same test was repeated a second time and twice with a magazine containing fifteen rounds of ammunition. In all instances, the NFC rifle, with the Exhibit 17 device installed discharged its entire ammunition load upon initiating the firing sequence by depressing the bolt release, thus allowing the bolt assembly to move forward and both chamber and fire cartridges repeatedly.

As received, Exhibit 17 is a combination of parts designed to and through demonstration successfully converted the semiautomatic NFC AR-type rifle into a machinegun; therefore, Exhibit 17 is a “**machinegun**” as defined in the GCA and NFA.

Conclusions:

Exhibit 1 is a weapon which will expel a projectile by the action of an explosive and incorporates the receiver of such a weapon; therefore, it is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) & (B).

Exhibit 1, with the Exhibit 1A machinegun-conversion device installed, is a weapon which shoots, automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, it is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 1, with the Exhibit 1A machinegun-conversion device installed, is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24).

Exhibit 1, with the Exhibit 1A machinegun-conversion device installed, being a machinegun, is also a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 1A, in and of itself, is a combination of parts designed and intended, for use in converting a weapon into a machinegun; therefore, it is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 1A, in and of itself, is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24).

Being a machinegun, **Exhibit 1A** is also a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 1A bears no NFA manufacturers marks of identification or serial number as required by 26 U.S.C. § 5842.

Exhibit 2 is a weapon which will expel a projectile by the action of an explosive and incorporates the receiver of such a weapon; therefore, it is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) & (B).

Exhibit 2, with the Exhibit 2A machinegun-conversion device installed, is a weapon which shoots, automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, it is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 2, with the Exhibit 2A machinegun-conversion device installed, is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24).

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Exhibit 2, with the Exhibit 2A machinegun-conversion device installed, being a machinegun, is also a **“firearm”** as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 2A, in and of itself, is a combination of parts designed and intended, for use in converting a weapon into a machinegun; therefore, it is a **“machinegun”** as defined in 26 U.S.C. § 5845(b).

Exhibit 2A, in and of itself, is a **“machinegun”** as defined in 18 U.S.C. § 921(a)(24).

Being a machinegun, **Exhibit 2A** is also a **“firearm”** as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 2A bears no NFA manufacturers marks of identification or serial number as required by 26 U.S.C. § 5842.

Exhibit 3, being a weapon which will expel a projectile by the action of an explosive and incorporating the receiver of such a weapon, is a **“firearm”** as defined in 18 U.S.C. §§ 921(a)(3)(A) & (B).

Exhibit 3, being a rifle having a barrel of less than sixteen inches, is a **“short-barreled rifle”** as defined in 18 U.S.C. § 921(a)(8).

Exhibit 3, being a rifle having a barrel or barrels of less than sixteen inches in length, is a **“firearm”** as defined in 26 U.S.C. § 5845(a)(3).

Exhibit 3 bears no NFA manufacturer’s marks of identification as required by 26 U.S.C. § 5842.

Exhibit 14 is a combination of parts, designed and intended for use in converting a weapon into a machinegun; therefore, it is a **“machinegun”** as defined in 26 U.S.C. § 5845(b).

Exhibit 14 is a **“machinegun”** as defined in 18 U.S.C. § 921(a)(24).

Exhibit 14, being a machinegun, is also a **“firearm”** as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 14 bears no NFA manufacturer’s marks of identification as required by 26 U.S.C. § 5842.

Exhibit 15 is a combination of parts, designed and intended for use in converting a weapon into a machinegun; therefore, it is a **“machinegun”** as defined in 26 U.S.C. § 5845(b).

Exhibit 15 is a **“machinegun”** as defined in 18 U.S.C. § 921(a)(24).

Exhibit 15, being a machinegun, is also a **“firearm”** as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 15 bears no NFA manufacturer’s marks of identification as required by 26 U.S.C. § 5842.

Exhibit 16 is a combination of parts, designed and intended for use in converting a weapon into a machinegun; therefore, it is a **“machinegun”** as defined in 26 U.S.C. § 5845(b).

Exhibit 16 is a **“machinegun”** as defined in 18 U.S.C. § 921(a)(24).

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Exhibit 16, being a machinegun, is also a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 16 bears no NFA manufacturer’s marks of identification as required by 26 U.S.C. § 5842.

Exhibit 17 is a combination of parts, designed and intended for use in converting a weapon into a machinegun; therefore, it is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 17 is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24).

Exhibit 17, being a machinegun, is also a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 17 bears no NFA manufacturer’s marks of identification as required by 26 U.S.C. § 5842.

Examined by:

**JASON
ARMSTRONG** Digitally signed by
JASON ARMSTRONG
Date: 2022.12.08
10:39:16 -05'00'

Jason Armstrong
Firearms Enforcement Officer

Approved by:

**CODY
TOY** Digitally signed by
CODY TOY
Date: 2022.12.09
07:03:27 -05'00'

Cody Toy
Chief, Firearms Technology Criminal Branch

Attachments: 78 pages bearing photographs.
(copy) U.S. Patent 10,514,223 B1

Enclosed is a Firearms Technology Criminal Branch report provided in response to your request for assistance. Please be aware that these documents constitute “taxpayer return information” that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. §§ 6103(h)(2)(C) and (o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. § 6103 could result in civil and/or criminal liability.